

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

CR-08-00017-003

May 15, 2008
3:15 p.m.

UNITED STATES OF AMERICA -vs- JAMES OCHCHA

PRESENT: HON. ALEX R. MUNSON, CHIEF JUDGE PRESIDING
K. LYNN LEMIEUX, COURTROOM DEPUTY
SANAE SHMULL, COURT REPORTER
BEVERLY MC CALLUM, ASSISTANT U.S. ATTORNEY
ROBERT TORRES, COURT APPOINTED ATTORNEY
JAMES OCHCHA, DEFENDANT

PROCEEDINGS: INITIAL APPEARANCE/ARRAIGNMENT

Defendant **JAMES OCHCHA** appeared with court appointed counsel, Attorney Robert Torres. Government was represented by Beverly McCallum, AUSA.

Sandy Hambros was sworn as a translator/interpreter of the Chukese language.

Defense stated that they were ready to proceed with the Arraignment.

Defendant was sworn and advised of his constitutional rights.

Defendant waived reading of the indictment and pled **NOT GUILTY** to the charges against him. Court set jury trial for **July 14, 2008 at 9:00 a.m.** Pretrial motions shall be filed by **May 30, 2008.**

Government recommends release on conditions and a third-party custodian as recommended by the U.S. Probation Office.

Court ordered that the defendant be released on the following conditions:

- 1) The defendant shall remain in the custody of a third-party custodian approved by the

Court;

- 2) That the defendant shall submit to pretrial services supervision under the direction of the United States Probation Office and abide by all standard conditions and that he must report at any time as requested;
- 3) The defendant must not leave the island of Saipan without written permission from the Court;
- 4) That the defendant shall not commit any offense in violation of federal, state or local law while on release in this case;
- 5) That the defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.
- 6) That the defendant execute a unsecured bond in the amount of \$5,000;
- 7) That the defendant shall surrender his passport and any other travel documents and not obtain any other travel documents or passport;
- 8) That the defendant refrain from possessing firearms, destructive device, or other dangerous weapons, or to have at residence;
- 9) That he refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 USC 802, unless prescribed by a licensed medical practitioner on the island of Saipan;
- 10) That he submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing;
- 11) That the defendant shall refrain from obstruction or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release;
- 12) That the defendant shall comply with the prohibitions regarding contact with victims or the offense;
- 13) That the defendant shall report, as soon as possible, to the supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop; and
- 14) Defendant shall refrain from the use of alcohol.

Attorney Torres petitioned the Court for the appointment of an interpreter/translator. Court so granted.

Defendant was remanded back into the custody of the U.S. Marshal.

Adj. 3:30 p.m.

/s/K. Lynn Lemieux, Courtroom Deputy